

## REMARKS

As amended, the claims call for a tungsten conductive layer. It is suggested in the Office Action that the cited reference to Klersy teaches a tungsten layer citing col. 8, lines 1-15.

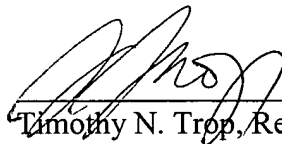
However that tungsten layer cannot possibly be the claimed tungsten conductive layer because the claimed layer must be laid down between a first layer having an opening filled at least in part with said third layer.

The tungsten layer referred to at col. 8, lines 1-15 makes a resistive layer 150. The layer 150 is shown for example in Fig. 9. It is placed over the layer 112 after the chemical mechanical planarization is already completed. Thus there is no chemical mechanical polishing through a portion of a thermally insulating third layer down to the layer 150 coated on the first layer such that the first layer has an opening filled at least in part with said third layer.

Therefore reconsideration of the rejections of claims 1 and 14 as amended is respectfully requested.

Respectfully submitted,

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